IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

SUM. SUIT NO.4187 OF 1997

Lt.Col.Pandher (Retd) & ors. Plaintiffs
vs.
Dis Mark & ors. Defendants

Mr.Kaizad Irani i/b.M/s.Madekar & Co. for the plaintiffs.

None for the defendants.

CORAM : S.U. KAMDAR,J.

DATED : 24th October 2005

P.C.

The present suit is filed for the recovery of a sum of Rs.6,33,970/-. The suit is based on sponsorship agreement which is Exhibit A to the plaint. By order dated 13th September 2005, I have already decreed the Suit as against defendant no.5. In so far as defendants 1, 3 and 4 are concerned, the plaintiff has filed an affidavit of service dated 13.10.1999 proving service on defendants 1, 3 and 4. The plaintiff has also filed compilation of original documents dated 14.10.2005. The same are taken on record and marked as P-1 collectively. There shall be a decree in favour of the plaintiff and against the defendants 1, 3 and 4 in the sum of Rs.6,33,970/- with further interest at the rate of 9% per annum from the date of the suit till payment and/or realisation. As regards defendant no.2, the learned counsel for the plaintiff states that he has been sued

in his capacity as partner of the defendant no.1 firm. Since he has got decree against defendant no.2, he will execute the same against defendant no.2, after obtaining necessary leave as provided under Code of Civil Procedure. Suit disposed of as against the defendant no.2.

2. Refund as per the rules.

(S.U. KAMDAR,J.)